

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DARNELL DEAUNTE WHITLEY,

Defendant.

DOCKET NO. 3:14 CR 240-RJC

**UNOPPOSED FIRST MOTION TO  
CONTINUE DOCKET CALL AND  
TRIAL DATE**

Darnell Deaunte Whitley, by and through his counsel of record, Douglas E. Roberts, respectfully requests that this Court continue the docket call and trial date, which is scheduled for August 3, 2015, at 9:30 a.m. As grounds therefore, it is averred:

1. Mr. Whitley is before the Court charged by indictment with one count of possession of a firearm by felon, in violation of 18 U.S.C. § 922(g)(1), and three counts of possession with intent to distribute a controlled substance, in violation of 21 U.S.C. § 841(a)(1). Dkt. # 1.

2. On June 18, 2015, Mr. Whitley made his first appearance through counsel at arraignment. He entered a plea of not guilty and requested a jury trial. Docket call was then set for August 3.

3. Undersigned counsel just received the government's first production of discovery on July 20, 2015. It consists of five disks of media, as well as approximately 125 pages of

“paper” discovery. Counsel will need more time to study the discovery, review it with Mr. Whitley, and effectively advise Mr. Whitley of his options than an August trial date would allow.

4. Thus, under the circumstances, the ends of justice served by a continuance of docket call and the trial date outweigh the interests of Mr. Whitley and the public in a speedy trial.

5. Assistant United States Attorney Robert Gleason has advised counsel that the government does not oppose this motion.

Wherefore, Mr. Whitley requests a continuance of his docket call and trial date.

Respectfully submitted:

/s Douglas E. Roberts  
Douglas E. Roberts  
Attorney for Darnell Deaunte Whitley  
Federal Defenders of Western North Carolina, Inc.  
129 West Trade Street, Suite 300  
Charlotte, NC 28202  
(704) 374-0720 (phone)  
(704) 374-0722 (fax)  
Douglas\_Roberts@fd.org

DATE: July 21, 2015

## **CERTIFICATE OF SERVICE**

I, Douglas E. Roberts, hereby certify that I have served a copy of the attached Motion to Continue Docket Call and Trial Date upon the following via electronic filing:

Robert Gleason  
U.S. Attorney's Office  
227 W. Trade Street  
Suite 1700  
Charlotte, NC 28202  
704-344-6222  
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Robert.Gleason@usdoj.gov

Respectfully submitted:

/s Douglas E. Roberts  
Douglas E. Roberts  
Attorney for Darnell Deaunte Whitley  
Federal Defenders of Western North Carolina, Inc.  
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DATE: July 21, 2015